BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Union)	
Electric Company d/b/a Ameren Missouri)	
for an Order Authorizing the Issue and Sale of)	Case No. EF-2024-0099
Additional Long-term Indebtedness.)	

RESPONSE TO OPC'S RESPONSE TO AMEREN MISSOURI'S COMPLIANCE FILING, AMENDED COMPLIANCE FILING, AND REQUEST FOR ACCEPTANCE OUT OF TIME

COMES NOW Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri" or the "Company") and, for its Response to Office of Public Counsel's Response to Ameren Missouri's Compliance Filing and Request for Acceptance Out of Time, states as follows:

- 1. On December 21, 2023, the MPSC issued an *Order Approving Application ("Order)* in this case with an effective date of January 3, 2024.
- 2. Paragraph 2g of the *Order* states, "Ameren Missouri shall provide a certified copy of the resolutions of its Board of Directors prior to financing."
- 3. On December 29, 2023, the Company filed its Notice of Filing Compliance and Attachment 1 to that *Notice* was information responsive to paragraph 2g of the *Order*. The attachment was marked confidential in its entirety.
- 4. OPC filed a Response to the Company's Notice of Filing Compliance on January 4, 2024. OPC noted that the Company complied with the last sentence of rule 20 CSR 4240-2.135(2)(B) and argues that the Company did not comply with the first two sentences of that subsection. OPC also complains that the resolutions of the Company's Board of Directors authorizing the Company to execute its financing is not confidential as a trade secret or otherwise.

- 5. OPC requests the Commission to Order Ameren Missouri to properly comply with 20 CSR 4240-2.135(2)(B) so that the Commission and other parties can determine that Ameren Missouri has a reasonable basis for the confidential designation.
- 6. Ameren Missouri agrees that it overlooked providing a cover sheet with an explanation of why the resolutions are considered confidential. The Company will do so here.
- 7. The Company has a reasonable basis to request that the documents remain confidential because Ameren Missouri keeps its Board of Directors' resolutions confidential, which contain a compilation of strategies and process to operate Ameren Missouri. Ameren Missouri does not publicly disclose this information because the Company derives potential independent economic value in keeping the Company's strategic plans and its processes confidential so that competitors, vendors, and lenders among others do not derive economic value from the disclosure. The Company's efforts to maintain the secrecy of the Company's plans are reasonable under the circumstances.
- 8. Ameren Missouri understands that it is publicly known that the Company has authorization from the Commission to issue financing bonds, but the Board of Directors' resolution contains more than an authorization to effectuate the financing. The resolution contains information regarding the process by which the Company will conduct the financing and Ameren Missouri does not publicly disclose this process. The process by which Ameren Missouri conducts its financing is a reasonable basis for the Commission to grant confidential protection to the compliance filing.

9. Based on the foregoing, the Company respectfully requests the Commission accept the amended compliance filing, accept the response to the OPC's motion out of time, and deny OPC's request that the compliance filing be made public.

WHEREFORE, Ameren Missouri requests that the Commission accept the amended compliance filing and accord confidential treatment to the compliance filing.

Respectfully Submitted,

/s/ Jennifer S. Moore

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ATTORNEY FOR UNION ELECTRIC COMPANY d/b/a AMEREN MISSOURI

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been transmitted electronically to all counsel of record this 19th of January, 2024.

/s/ Jennifer S. Moore